

REMARKS

The applicants provide the following remarks in response to the office action dated January 6, 2004. No claims have been amended, and claims 1-23 are currently pending. In view of the foregoing amendments and following remarks, the applicants respectfully request advancement of this application to allowance.

A. Drawings

The applicants thank the Examiner for noting that Formal drawings are required and will submit them in a separate communication.

B. Specification

The applicants have amended the specification to provide the data regarding the co-pending applications and to correct various typographical errors in the specification.

C. Claims

Claims 1-23 stand rejected as being obvious in view of Bylund et al. The applicants respectfully traverse this rejection.

1. Claims 1-9 (Percentage for Boluses)

Claims 1-9 are directed to programming a bolus amount and a percentage into a pump. The percentage defines a portion of the bolus amount to deliver immediately upon executing a deliver command and a remainder of the bolus amount to deliver over the duration upon executing a deliver command.

This claimed invention has significant advantages over the cited reference. For example, a user can enter a single value for the dosage to be delivered and then simply proportion the dosage between a standard bolus and an extended bolus. It is easier for many users to visualize the proportion of the bolus that is standard and the proportion that is extended. Additionally, because there is only a single dosage amount that is calculated, there is less chance of error. Similarly, because there is only a single dosage entered, there is less chance for a data entry error that could result in delivery of too much or too little bolus insulin to counteract consumed carbohydrates.

In sharp contrast to the claimed invention, paragraph [0095] of Bylund explicitly teaches that a user must first enter a standard bolus dosage and then separately enter an extended bolus dosage. This programming technique requires the user to calculate the desired bolus and then to do the math to determine what portion of the dosage to deliver as a standard bolus versus an extended bolus.

Bylund et al. does not teach or suggest any other type of programming for an insulin pump, including the use of percentages. Accordingly, the applicant respectfully request withdrawal of the pending rejection.

2. Claims 10-23 (Percentages for Temporary Basal)

Claims 10-23 relate to temporarily adjusting the basal rate, not delivering a bolus. For example, claim 10 sets forth the act of prompting the user to select whether to enter the temporary rate as a percent of the current delivery rate or as a new delivery rate and entering a temporary basal rate. Claim 17 sets forth a process programmed to prompt a user to select whether to enter the temporary basal rate as a percent of the current delivery rate or as a new delivery rate.

Bylund et al. has limited teaching with respect to bolus algorithms. However, it fails to include any teaching regarding setting temporary basal rates. Accordingly, the applicant respectfully request withdrawal of the pending rejection of these claims as well.

D. Conclusion

In light of the foregoing amendments and remarks, the applicant respectfully request advancement of this application to allowance. The applicant notes that there may be other reasons that the claimed invention is patentably distinct from the cited references in addition to those raised above. The applicant reserves the right to raise any such reason in the future.

Please contact the undersigned attorneys if there are any questions.

Respectfully Submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

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PATENT TRADEMARK OFFICE

[Signature]

John C. Reich
Reg. No. 37,703
JCR:nma